



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### SOUTHWEST REGIONAL OFFICE

355-A Deadmore Street, Abingdon, Virginia 24210

Phone (276) 676-4800 Fax (276) 676-4899

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

Jeffrey Hurst  
Regional Director

November 8, 2017

Mr. David A. DeBusk  
General Manager  
Appalachian Plastics, Inc.  
P.O. Box 1044  
Glade Spring, Virginia 24340

Location: Washington County, VA  
Registration No.: 11074

Dear Mr. DeBusk:

Attached is a renewal Title V permit to operate your facility pursuant to 9VAC5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution.

This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all conditions carefully.

This approval to operate does not relieve Appalachian Plastics, Inc. of the responsibility to comply with all other local, state, and federal permit regulations.

Issuance of this permit is a case decision. The Regulations, at 9VAC5-170-200, provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this permit is mailed or delivered to you. Please consult that and other relevant provisions for additional requirements for such requests.

Additionally, as provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal to court by filing a Notice of Appeal with:

Mr. David K. Paylor, Director  
Department of Environmental Quality  
P. O. Box 1105  
Richmond, VA 23218

In the event that you receive this permit by mail, three days are added to the period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for additional information including filing dates and the required content of the Notice of Appeal.

Mr. David A. DeBusk

November 8, 2017

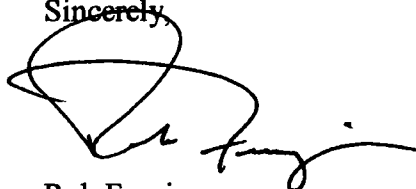
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Links to pertinent federal regulations which contain applicable requirements for units at the facility are given below:

MACT WWW - <https://www.epa.gov/stationary-sources-air-pollution/reinforced-plastic-composites-production-national-emission>

If you have any questions concerning this permit, please contact me at 276-676-4835.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Feagins', with a large, stylized loop at the beginning.

Rob Feagins  
Air Permit Manager

GRF/ECM/SWRO11074VA.docx

cc: Director, OAPP (electronic file submission)  
Director, Office of Permits and Air Toxics (3AP10), U.S. EPA, Region III (electronic file submission)  
Manager/Inspector, Air Compliance (electronic file submission)



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### Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1, of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9VAC5-80-50 through 9VAC5-80-300, of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Appalachian Plastics, Inc.	Registration Number:	11074
Facility Name:	Appalachian Plastics, Inc	Permit Number:	SWRO11074
Facility Location:	34001 Glove Dr. Glade Spring, Virginia 24340		

This permit includes the following programs:

### Federally Enforceable Requirements - Clean Air Act (Pages 1 through 16)

January 8, 2018

Effective Date

January 7, 2023

Expiration Date

Jeffrey Hurst  
Regional Director

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## **Facility Information**

Permittee  
Appalachian Plastics, Inc.  
P.O. Box 1044  
Glade Spring, Virginia, 24340

Responsible Official  
David A. DeBusk  
General Manager

Facility  
Appalachian Plastics, Inc.  
34001 Glove Dr.  
Glade Spring, Virginia 24340

Contact Person  
David A. DeBusk  
General Manager  
276-429-2581

**County-Plant Identification Number:** 51-191-00140

**Facility Description:** NAICS 326199 - Appalachian Plastics, Inc. manufactures fiberglass-reinforced plastic products consisting of duct systems, tanks, water playground equipment and various other custom parts. The company utilizes several different processes to coat glass fibers with a resin mix depending on the type of product being produced. These processes include filament winding, pressure fed rolling, flow coating, Instant Start Device (ISD) chopping, impinged nozzle chopping, hand lay-up, spray applied gelcoat and hand applied gelcoat.

Volatile Organic Compound (VOC) and Hazardous Air Pollutant (HAP) emissions from each process occur during resin mixing, resin application and resin curing stages common to each process.

## Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
<b>Filament Winding Equipment</b>							
01	S1	Appalachian Plastics, Inc. filament winding machine; constructed 1995	247.5 lb/hr, output	None	None	-----	March 1, 2001
02	S1	Appalachian Plastics, Inc. filament winding machine; constructed 1979	250 lb/hr, output	None	None	-----	March 1, 2001
03	NB2	Appalachian Plastics, Inc. filament winding machine; constructed 2006	250 lb/hr, output	None	None	-----	March 1, 2001 (as amended January 20, 2006)
19	N/A	Appalachian Plastics, Inc. filament winding machine; constructed 2006	240 lb/hr, output	None	None	-----	July 28, 2006
24	N/A	Appalachian Plastics, Inc. filament winding machine; constructed 2016	250 lb/hr, output	None	None	-----	March 4, 2016
25	N/A	Appalachian Plastics, Inc. filament winding machine; constructed 2016	250 lb/hr, output	None	None	-----	March 4, 2016
<b>Pressure Fed Rolling Equipment</b>							
04	S1	Glas-Craft PFR System; linear application; constructed 1997	33.5 lb/hr, output	None	None	-----	March 1, 2001
05	NB2	Glas-Craft PFR System; tank application; constructed 1998	33.5 lb/hr, output	None	None	-----	March 1, 2001

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
<b>Flow Coater Equipment</b>							
21	S1	Glas-Craft Formula; April 2011	64 lb/hr, output	None	None	-----	March 1, 2001
22	S2	Glas-Craft Formula; April 2011	64 lb/hr, output	None	None	-----	March 1, 2001
<b>ISD Chopper And Spray Coating Equipment</b>							
23	NB2	Glas-Craft Formula; April 2011	64 lb/hr, output	None	None	-----	March 1, 2001
<b>Gelcoat Spray Equipment</b>							
11	NB2	Binks atomized spray; manufactured 1968; unknown model	10 lb/hr, output	None	None	-----	March 1, 2001
<b>Hand Lay Up Operations</b>							
12	NB2	Manual resin application	280 lb/hr, output	None	None	-----	March 1, 2001
<b>Impinged Nozzle Chopper Equipment</b>							
13	NB2	Glas-Craft, INDY Dispense Gun; 2002	64 lb/hr, output	None	None	-----	March 1, 2001
14	NB2	Glas-Craft, INDY Dispense Gun; 2002	64 lb/hr, output	None	None	-----	March 1, 2001
15	NB2	Glas-Craft, INDY Dispense Gun; 2006	64 lb/hr, output	None	None	-----	March 1, 2001
16	NB2	Glas-Craft, INDY Dispense Gun; 2006	64 lb/hr, output	None	None	-----	March 1, 2001
17	NB2	Glas-Craft, INDY Dispense Gun; 2006	64 lb/hr, output	None	None	-----	March 1, 2001
18	NB2	Glas-Craft, INDY Dispense Gun; to be installed	64 lb/hr, output	None	None	-----	March 1, 2001

\*The Size/Rated capacity, and PCD efficiency is provided for informational purposes only, and is not an applicable requirement.

## Facility Wide Conditions

1. **Facility Wide Conditions - Limitations** - Emissions from the operation of filament winding (01, 02, 03 and 19), pressure fed rollers (04 and 05), flow coating (06 and 07), impinged nozzle chopping (13 through 18), hand lay-up (12), spraying and ISD chopping (8 through 11) processes shall not exceed the limits, on a combined basis, specified below:  

Volatile Organic Compounds	96.09 lbs/hr	116.91 tons/yr
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Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period.  
(9 VAC 5-80-110, 9 VAC 5-50-260, 9 VAC 5-80-1180 and Condition 2 of 03/04/16 Minor NSR Permit)
2. **Facility Wide Conditions - Limitations** - At all times the disposal of volatile organic compounds shall be accomplished by taking measures, to the extent practicable, consistent with air pollution control practices for minimizing emissions. Volatile organic compounds shall not be intentionally spilled, discarded in sewers which are not connected to a treatment plant, or stored in open containers, or handled in any other manner that would result in evaporation beyond that consistent with air pollution practices for minimizing emissions.  
(9 VAC 5-50-20 F, 9 VAC 5-50-26, 9 VAC 5-80-1180 and Condition 1 of 03/04/16 Minor NSR Permit)
3. **Facility Wide Conditions - Limitations** - Visible emissions from the facility's exhaust stack, S1, shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.  
(9 VAC 5-50-80, 9 VAC 5-80-110, 9 VAC 5-80-1180 and Condition 3 of 03/04/16 Minor NSR Permit)
4. **Facility Wide Conditions - Limitations** - The permittee shall operate the open molding equipment, 01 through 25, in compliance with the applicable emission limits and work practices of 40 CFR 63.5805 and Tables 3 and 4 of National Emission Standards for Hazardous Air Pollutants, Subpart WWWW, National Emission Standards for Reinforced Plastic Composites Production.  
(9 VAC 5-80-110, 9 VAC 5-60-100 Subparts A and WWWW, 40 CFR 63.1, 40 CFR 63.5785, 40 CFR 63.5805, and 40 CFR 63.5835)



5. **Facility Wide Conditions - Limitations** - Emission estimates of organic hazardous air pollutants from open molding operations shall be made using the emission factors described in 40 CFR 63.5796 and Table 1 of Subpart WWWW. Compliance with these limits shall be determined according to the calculation methods outlined in 40 CFR 63.5799 and 40 CFR 63.5810. The permittee shall calculate the organic HAP emissions factor for the open molding equipment, 01 through 25, monthly as the sum of each consecutive 12-month period, which demonstrates compliance with the organic HAP reduction requirement. (9 VAC 5-80-110, 9 VAC 5-60-100 Subpart WWWW and 40 CFR 63.5900(a)(2))
6. **Facility Wide Conditions - Recordkeeping** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Southwest Regional Office. These records shall include, but are not limited to:
  - a. Weekly and annual hours of operation at the facility. Annual hours of operation shall be calculated monthly as the sum of each consecutive 12-month period;
  - b. Material Safety Data Sheets (MSDS) or other vendor information showing volatile organic compound (VOC) content, certified to be based on Method 24 testing or equivalent, of each resin used at the facility;
  - c. Weekly and annual throughput of each resin to each process. Annual throughputs shall be calculated monthly as the sum of each consecutive 12-month period.
  - d. Hourly and annual emissions (in pounds or tons) of VOC from the facility. Emissions shall be calculated using methods and emission factors approved by the DEQ. Hourly emissions shall be calculated weekly by dividing total weekly emissions by total weekly hours of operation of the facility. Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period;
  - e. Copies of all notifications and reports submitted to comply with 40 CFR 63, Subpart WWWW, including documentation supporting Initial Notification or Notification of Compliance Status submitted to comply with 40 CFR 63.10(b)(2)(xiv);
  - f. A certified statement that you are in compliance with the applicable work practice requirements of Table 4 to Subpart WWWW to Part 63;
  - g. Emission factors and equations used to calculate emissions; and
  - h. Organic HAP content of each resin.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110, 9 VAC 5-60-100 Subpart WWWW, 40 CFR 63.5895(c) and (d), 40 CFR 63.5915, 40 CFR 63.5920 and Condition 4 of the 03/04/16 Permit)

7. **Facility Wide Conditions - Testing** - The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.  
(9VAC5-50-30, 9VAC5-80-110, and Condition 5 of 03/04/16 Minor NSR Permit)
8. **Facility Wide Conditions - Testing** - If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.  
(9VAC5-80-110)
9. **Facility Wide Conditions - Reporting** - The permittee shall submit to the Director, Southwest Regional Office, semiannual compliance reports in accordance with 40 CFR 63.5910, Subpart WWWW. The compliance reports must cover the period beginning on January 1 through June 30 (due July 31) or July 1 through December 31 (due January 31). Each report shall include, at a minimum:
  - a. Company name and address.
  - b. Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.
  - c. Date of the report and beginning and ending dates of the reporting period.
  - d. If there are no deviations from any applicable organic HAP emissions limitations, and there are no deviations from the requirements for work practice standards, a statement that there were no deviations from the organic HAP emissions limitations or work practice standards during the reporting period.
  - e. For each deviation from an organic HAP emission limitation or work practice standard, the report must contain the total operating time of each affected source during the reporting period and information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.

The semiannual compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report required in General Conditions 19 through 21 of this permit if the compliance report is submitted along with, or as part of, the semiannual monitoring report and the compliance report includes all required information concerning deviations from any organic HAP emissions limitation (including any operating limit) or work practice requirement in 40 CFR Part 63, Subpart WWWW. However, submission of a semiannual compliance report shall not otherwise affect any obligation to report deviations from requirements of this permit.  
(9 VAC 5-80-110, 9 VAC 5-60-100 Subpart WWWW and 40 CFR 63.5910)

## Insignificant Emission Units

10. **Insignificant Emission Units** - The following emission units at the facility are identified in the application as insignificant emission units under 9VAC5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9VAC5-80-720B)	Rated Capacity (9VAC5-80-720C)
----	Propane/natural gas-fired space heaters, 3 units	5-80-720 A. 4		
----	Propane/natural gas-fired space heaters, 6 units	5-80-720 A. 4		
20	Sawing/Grinding	5-80-720 A.51		
----	Lab Testing Equipment	5-80-720 A.45		

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9VAC5-80-110. (9VAC5-80-110)

## Permit Shield & Inapplicable Requirements

11. **Permit Shield & Inapplicable Requirements** - Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR Part 60, Subpart VVV and 9 VAC 5-50-410	Standards of Performance for Polymeric Coating of Supporting Substrates Facilities	Each coating operation and any onsite coating mix preparation equipment used to prepare coatings for the polymeric coating of supporting substrates.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution

Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.  
(9VAC5-80-110 and 9VAC5-80-140)

## **General Conditions**

12. **General Conditions - Federal Enforceability** - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.  
(9VAC5-80-110)
13. **General Conditions - Permit Expiration** - This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9VAC5-80-80, the right of the facility to operate shall be terminated upon permit expiration.  
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)
14. **General Conditions - Permit Expiration** - The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.  
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)
15. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9VAC5 Chapter 80, until the Board takes final action on the application under 9VAC5-80-150.  
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)
16. **General Conditions - Permit Expiration** - No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9VAC5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9VAC5 Chapter 80.  
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)
17. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application under section 9VAC5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9VAC5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.  
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)

18. **General Conditions - Permit Expiration** - The protection under subsections F 1 and F 5 (ii) of section 9VAC5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9VAC5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.  
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)
19. **General Conditions - Recordkeeping and Reporting** - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
  - a. The date, place as defined in the permit, and time of sampling or measurements;
  - b. The date(s) analyses were performed;
  - c. The company or entity that performed the analyses;
  - d. The analytical techniques or methods used;
  - e. The results of such analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.  
(9VAC5-80-110)
20. **General Conditions - Recordkeeping and Reporting** - Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.  
(9VAC5-80-110)
21. **General Conditions - Recordkeeping and Reporting** - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:
  - a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31; and
  - b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
    - i. Exceedances of emissions limitations or operational restrictions;
    - ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or

Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,

- iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."  
(9VAC5-80-110)

22. **General Conditions - Annual Compliance Certification** - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:

- a. The time period included in the certification. The time period to be addressed is January 1 to December 31;
- b. The identification of each term or condition of the permit that is the basis of the certification;
- c. The compliance status;
- d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance;
- e. Consistent with subsection 9VAC5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period;
- f. Such other facts as the permit may require to determine the compliance status of the source; and
- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3\_APD\_Permits@epa.gov  
(9VAC5-80-110)

23. **General Conditions - Permit Deviation Reporting** - The permittee shall notify the Director, Southwest Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to Condition 21 of this permit.  
(9VAC5-80-110 F. 2)
24. **General Conditions - Failure/Malfunction Reporting** - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall no later than four daytime business hours after the malfunction is discovered, notify the Director, Southwest Regional Office such failure or malfunction and within 14 days provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9VAC5-40-50 C and 9VAC5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9VAC5-40-40 and 9VAC5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Southwest Regional Office.  
(9VAC5-80-110 and 9VAC5-20-180)
25. **General Conditions - Severability** - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.  
(9VAC5-80-110)
26. **General Conditions - Duty to Comply** - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.  
(9VAC5-80-110)
27. **General Conditions - Need to Halt or Reduce Activity not a Defense** - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.  
(9VAC5-80-110)

28. **General Conditions - Permit Modification** - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9VAC5-80-50, 9VAC5-80-1100, 9VAC5-80-1605, or 9VAC5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.  
(9VAC80-110, 9VAC5-80-190 and 9VAC5-80-260)
29. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9VAC5-80-110)
30. **General Conditions - Duty to Submit Information** - The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.  
(9VAC5-80-110)
31. **General Conditions - Duty to Submit Information** - Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9VAC5-80-80 G.  
(9VAC5-80-110)
32. **General Conditions - Duty to Pay Permit Fees** - The owner of any source for which a permit under 9VAC5-80-50 through 9VAC5-80-300 was issued shall pay permit fees consistent with the requirements of 9VAC5-80-310 through 9VAC5-80-350 in addition to an annual permit maintenance fee consistent with the requirements of 9VAC5-80-2310 through 9VAC5-80-2350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department. The amount of the annual permit maintenance fee shall be the largest applicable base permit maintenance fee amount from Table 8-11A in 9VAC5-80-2340, adjusted annually by the change in the Consumer Price Index.  
(9VAC5-80-110, 9VAC5-80-340 and 9VAC5-80-2340)
33. **General Conditions - Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:



- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
  - b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
  - c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
  - d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
  - e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.  
(9VAC5-50-90 and 9VAC5-80-110)
34. **General Conditions - Startup, Shutdown, and Malfunction** - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.  
(9VAC5-50-20 E and 9VAC5-80-110)
35. **General Conditions - Alternative Operating Scenarios** - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9VAC5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9VAC5 Chapter 80, Article 1.  
(9VAC5-80-110)
36. **General Conditions - Inspection and Entry Requirements** - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:
- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.

- b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
  - d. Sample or monitor at reasonable times' substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.  
(9VAC5-80-110)
37. **General Conditions - Reopening for Cause** - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9VAC5-80-80 F. The conditions for reopening a permit are as follows:
- a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
  - b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
  - c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9VAC5-80-110 D.  
(9VAC5-80-110)
38. **General Conditions - Permit Availability** - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.  
(9VAC5-80-110 and 9VAC5-80-150)
39. **General Conditions - Transfer of Permits** - No person shall transfer a permit from one location to another, unless authorized under 9VAC5-80-130, or from one piece of equipment to another.  
(9VAC5-80-110 and 9VAC5-80-160)

40. **General Conditions - Transfer of Permits** - In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9VAC5-80-200. (9VAC5-80-110 and 9VAC5-80-160)
41. **General Conditions - Transfer of Permits** - In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9VAC5-80-200. (9VAC5-80-110 and 9VAC5-80-160)
42. **General Conditions - Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9VAC5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations. (9VAC5-80-110, 9VAC5-80-190 C and 9VAC5-80-260)
43. **General Conditions - Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit. (9VAC5-80-110 and 9VAC5-80-80 E)
44. **General Conditions - Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F. (9VAC5-80-110 and 40 CFR Part 82)
45. **General Conditions - Asbestos Requirements** - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150). (9VAC5-60-70 and 9VAC5-80-110)

46. **General Conditions - Accidental Release Prevention** - If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68. (9VAC5-80-110 and 40 CFR Part 68)
47. **General Conditions - Changes to Permits for Emissions Trading** - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit. (9VAC5-80-110)
48. **General Conditions - Emissions Trading** - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:
  - a. All terms and conditions required under 9VAC5-80-110, except subsection N, shall be included to determine compliance.
  - b. The permit shield described in 9VAC5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
  - c. The owner shall meet all applicable requirements including the requirements of 9VAC5-80-50 through 9VAC5-80-300. (9VAC5-80-110)